

**MORGAN COUNTY FISCAL COURT MEETING**  
**WEDNESDAY AUGUST 8, 2007**

Members present: Denzil Potter, Randy Cantrell, Stanley Riggsby, Frankie Spencer, Burton Stacy, and Tim Conley.

Motion made by Burton Stacy and seconded by Randy Cantrell to approve the agenda as presented adding item 6A pertaining to Fire Dept. and ARH grants (coal severance) and striking item 18 budget issues (loan).

| YEA             | NAY | ABSTAIN |
|-----------------|-----|---------|
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |

Motion made by Frankie Spencer and seconded by Burton Stacy to amend the minutes of the July 9 meeting by changing the motion pertaining to a resolution requiring the budget to be administered as presented and adding the wording "if there is no money in a line item then no money can be spent".

| YEA             | NAY             | ABSTAIN |
|-----------------|-----------------|---------|
| Frankie Spencer | Denzil Potter   |         |
| Burton Stacy    | Randy Cantrell  |         |
| Tim Conley      | Stanley Riggsby |         |

Motion made by Denzil Potter and seconded by Randy Cantrell to limit the spending to \$500.00 per purchase order.

| YEA             | NAY             | ABSTAIN |
|-----------------|-----------------|---------|
| Denzil Potter   | Frankie Spencer |         |
| Randy Cantrell  | Burton Stacy    |         |
| Stanley Riggsby | Tim Conley      |         |

Motion made by Frankie Spencer and seconded by Burton Stacy to limit the spending to \$12,500.00 per purchase order.

| YEA             | NAY             | ABSTAIN |
|-----------------|-----------------|---------|
| Frankie Spencer | Denzil Potter   |         |
| Burton Stacy    | Randy Cantrell  |         |
| Tim Conley      | Stanley Riggsby |         |

Motion made by Frankie Spencer and seconded by Burton Stacy to limit the spending to \$10,000.00 per purchase order.

| YEA             | NAY             | ABSTAIN |
|-----------------|-----------------|---------|
| Frankie Spencer | Denzil Potter   |         |
| Burton Stacy    | Randy Cantrell  |         |
| Tim Conley      | Stanley Riggsby |         |

Motion made by Frankie Spencer to limit the spending to \$7,500.00 per purchase order. Motion died for lack of a second.

Motion made by Burton Stacy to limit the spending to \$5,000.00 per purchase order. Motion died for lack of a second.

Motion made by Burton Stacy to limit the spending to \$2,500.00 per purchase order. Motion died for lack of a second.

Motion made by Stanley Riggsby and seconded by Randy Cantrell to limit the spending to \$1,500.00 per purchase order.

|                 |                 |            |
|-----------------|-----------------|------------|
| YEA             | NAY             | ABSTAIN    |
| Denzil Potter   | Frankie Spencer | Tim Conley |
| Randy Cantrell  | Burton Stacy    |            |
| Stanley Riggsby |                 |            |

Motion made by Frankie Spencer and seconded by Denzil Potter to approve the minutes of the last regular meeting and the two special meetings.

|                 |     |         |
|-----------------|-----|---------|
| YEA             | NAY | ABSTAIN |
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |

Motion made by Denzil Potter and seconded by Stanley Riggsby to ratify the payment of the bills since the last meeting.

|                 |     |         |
|-----------------|-----|---------|
| YEA             | NAY | ABSTAIN |
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |

Tommy Phipps, County Treasurer, presented the financial statement to 7-31-2007 and cash statement to date.

Motion made by Burton Stacy and seconded by Denzil Potter to approve the budget transfers presented in the July 9, 2007 meeting.

| YEA             | NAY | ABSTAIN |
|-----------------|-----|---------|
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |

Motion made by Randy Cantrell and seconded by Stanley Riggsby to approve the budget transfers pertaining to the sheriff's dept. as presented.

| YEA             | NAY | ABSTAIN |
|-----------------|-----|---------|
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |

Motion made by Burton Stacy and seconded by Frankie Spencer to approve the interfund cash transfers for \$178,000.00 as presented.

| YEA             | NAY | ABSTAIN |
|-----------------|-----|---------|
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |

Tommy Phipps, County Treasurer, presented the 2<sup>nd</sup> reading of budget amendment #1 for the 2007-2008 FY. Motion made by Denzil Potter and seconded by Randy Cantrell to adopt budget amendment #1 as presented.

| YEA             | NAY | ABSTAIN |
|-----------------|-----|---------|
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |

Motion made by Stanley Riggsby and seconded by Denzil Potter to advertise for bid a short term line of credit (loan) of \$250,000.00.

|                 |     |                 |
|-----------------|-----|-----------------|
| YEA             | NAY | ABSTAIN         |
| Denzil Potter   |     | Frankie Spencer |
| Randy Cantrell  |     | Tim Conley      |
| Stanley Riggsby |     |                 |
| Burton Stacy    |     |                 |

Motion made by Stanley Riggsby and seconded by Denzil Potter to amend the loan amount from \$250,000.00 to \$300,000.00 contingent upon verification of coal severance requirements by the county treasurer.

|                 |                 |         |
|-----------------|-----------------|---------|
| YEA             | NAY             | ABSTAIN |
| Denzil Potter   | Frankie Spencer |         |
| Randy Cantrell  | Burton Stacy    |         |
| Stanley Riggsby | Tim Conley      |         |

Motion made by Frankie Spencer and seconded by Burton Stacy to transfer \$998.67 from the jail fund to the road fund for June gas usage by the jail department.

|                 |     |         |
|-----------------|-----|---------|
| YEA             | NAY | ABSTAIN |
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |

Motion made by Frankie Spencer and seconded by Burton Stacy to adopt the resolutions pertaining to the Fire Dept. and ARH grants (coal severance).

|                 |     |         |
|-----------------|-----|---------|
| YEA             | NAY | ABSTAIN |
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |

One proposal was presented pertaining to gas usage. Double J Kwik Stop will accept any Fleet One card presented by authorized Morgan County personnel.

Motion made by Randy Cantrell and seconded by Frankie Spencer to reject the proposal and move to use Fleet One cards for county vehicles to be approved at a later date.

| YEA             | NAY | ABSTAIN |
|-----------------|-----|---------|
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |

Bids for blacktop and patching were opened and read as follows:

|                    |   |
|--------------------|---|
| Hinkle Contracting | 52.00 per ton asphalt, 51.00 per ton binder, 50.00 per ton base, and 1.75 per gal. tack oil |
|--------------------|---|

|                  |               |
|------------------|---------------|
| Standafer Paving | 57.50 per ton |
|------------------|---------------|

Motion made by Burton Stacy and seconded by Denzil Potter to award any blacktop or patching of county roads to low bidder Hinkle Contracting.

| YEA             | NAY | ABSTAIN |
|-----------------|-----|---------|
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |

Motion made by Burton Stacy and seconded by Denzil Potter to accept the 2008 tax rate certification on motor vehicles and watercraft as presented.

| YEA             | NAY | ABSTAIN |
|-----------------|-----|---------|
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |

Motion made by Stanley Riggsby and seconded by Burton Stacy to authorize the use of the county's backhoe at the Morgan County Fair and be operated by L. B. McClurg, county road foreman.

| YEA             | NAY | ABSTAIN |
|-----------------|-----|---------|
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |

Motion made by Burton Stacy and seconded by Denzil Potter to send a letter to Rowan Co. Jail and Carter Co. Jail informing them that the jail bills will be paid within 30 days.

| YEA             | NAY | ABSTAIN |
|-----------------|-----|---------|
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |

Motion made by Randy Cantrell and seconded by Stanley Riggsby to adopt .35 miles of the left fork of Hog Br. Rd into the county road system contingent upon necessary legal documents approved by the county attorney.

| YEA             | NAY | ABSTAIN |
|-----------------|-----|---------|
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |

Motion made by Randy Cantrell and seconded by Burton Stacy to continue to maintain Robbins Rd. and adopt it into the county road system if it isn't currently listed, contingent upon all legal issues being approved by the county attorney.

| YEA             | NAY | ABSTAIN |
|-----------------|-----|---------|
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |

Motion made by Stanley Riggsby and seconded by Randy Cantrell to adopt Cliffview Rd. into the county road system contingent upon all legal documents being approved by the county attorney.

| YEA             | NAY | ABSTAIN |
|-----------------|-----|---------|
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |

Motion made by Stanley Riggsby and seconded by Randy Cantrell to authorize the county attorney to provide legal recommendation to the fiscal court concerning Moore Rd.

| YEA             | NAY | ABSTAIN |
|-----------------|-----|---------|
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |

Motion made by Frankie Spencer and seconded by Denzil Potter to approve the Rowan Co. Detention Facility Adult Housing Agreement for 2007-2008 FY.

| YEA             | NAY | ABSTAIN |
|-----------------|-----|---------|
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |

Motion made by Burton Stacy and seconded by Denzil Potter to transfer the administrative fees (\$10,810.00) for the Ag. Development Program into the general fund.

| YEA             | NAY | ABSTAIN        |
|-----------------|-----|----------------|
| Denzil Potter   |     | Randy Cantrell |
| Stanley Riggsby |     |                |
| Frankie Spencer |     |                |
| Burton Stacy    |     |                |
| Tim Conley      |     |                |

Motion made by Denzil Potter and seconded by Randy Cantrell to pay the county's portion of the county/city match (\$255.50) for the airport grant application.

| YEA             | NAY | ABSTAIN |
|-----------------|-----|---------|
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |

Motion made by Stanley Riggsby and seconded by Denzil Potter to begin preparation of policy and procedure and the job requirements of a dog warden position.

| YEA             | NAY | ABSTAIN |
|-----------------|-----|---------|
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |

Motion made by Frankie Spencer and seconded by Burton Stacy to adopt a resolution pertaining to emergency management (Morgan County continuity of government), providing there is not a deputy county judge-executive as initially listed in the resolution.

| YEA             | NAY | ABSTAIN |
|-----------------|-----|---------|
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |

Motion made by Burton Stacy and seconded by Frankie Spencer to authorize the county judge to allow Cox Tree Trimming to do the tree removal at the Main Street Courthouse (\$175.00 for tree \$75.00 for stump).

| YEA             | NAY | ABSTAIN |
|-----------------|-----|---------|
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |

Motion made by Burton Stacy and seconded by Denzil Potter to auction off the following surplus property:

- A. 1-45c Clark Loader
- B. 1-Champion Grader
- C. 1-Ford Crown Victoria
- D. 1-1000 gallon tank
- E. 1-Ford Backhoe
- F. 1-1990 Chev. Pickup (tan)
- G. 1-1995 Chev. Pickup (blue)
- H. 1-Brush Cutter

| YEA             | NAY | ABSTAIN |
|-----------------|-----|---------|
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |



Motion made by Frankie Spencer and seconded by Burton Stacy to pay the monthly bills as presented with the exception of the July 2007 Carter Co. Jail bill.

| YEA             | NAY | ABSTAIN |
|-----------------|-----|---------|
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |

Motion made by Burton Stacy and seconded by Frankie Spencer to adjourn.

| YEA             | NAY | ABSTAIN |
|-----------------|-----|---------|
| Denzil Potter   |     |         |
| Randy Cantrell  |     |         |
| Stanley Riggsby |     |         |
| Frankie Spencer |     |         |
| Burton Stacy    |     |         |
| Tim Conley      |     |         |